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SUGHRUE MION ZINN MACPEAK & SEAS PLLC
2100 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 200373202

EXAMINER

CARTER, TIA A

ART UNIT

PAPER NUMBER

2622

DATE MAILED: 03/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/449,772

Applicant(s)

NITTA ET AL.

Examiner

Tia A Carter

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-8 and 11-13 is/are rejected.
- 7) ☒ Claim(s) 4-5, 9-10, 14-15 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 6-7, and 11-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Mototyama (US. 6330628).

Regarding claim [1], Motoyama discloses an image data processing method for making it possible to read image data acquired by different types of image data acquisition means and processing the read image data so as to provide an optimum output result (fig. 1, col. 3, lines 42-67), said image data processing method comprising the steps of :

Presetting image data processing contents considering processing operation characteristics of the image data acquisition means assigned the identification

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information in response to identification information assigned for identifying the different types of image data acquisition means (Fig. 1, col. 3, lines 44-67).

Reading the image data provided by one image data acquisition means as image data to be processes (fig. 11A, col. 1, lines 33-40)

Determining which image data acquisition means the image data to be processed is acquired by according to the identification information (fig. 8, col. 8, lines 32-38; fig. 11A, col. 11, lines 33-41).

Selecting the image data processing contents corresponding to the determination result in response thereto (fig. 8, col. 8, lines 39-44; figs. 11A-D, col. 11, lines 42-55).

Processing the image data to be processed so as to provide the optimum output result in accordance with the selected image data processing contents (Figs. 12A-C, col. 12, lines 39-67).

Regarding claim [2], Motoyama discloses the image data processing method as claimed in claim 1, wherein the identification information assigned for identifying the different types of image data acquisition means is model names assigned to the image data acquisition means (Fig. 8, col. 8, lines 26-47; col. 9, lines 32-42).

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Regarding claim [6], Motoyama discloses an image data print apparatus for making it possible to read image data acquired by different types of image data acquisition means, processing the read image data so as to provide an optimum output result, and printing the processed image data (fig. 1, col. 3, lines 42-67), said image data print apparatus comprising:

An image data read section capable of reading the image data provided by one image data acquisition means as image data to be processes (fig. 1, col. 4, lines 48-57))

A model determination section for determining which image data acquisition means the image data acquisition means is from identification information assigned for identifying the different types of image data acquisition means (fig. 1, col. 3, lines 44-67).

An image data processing content storage section for storing image data processing contents considering the processing operation characteristics of the image data acquisition means assigned the identification information in response to the identification information in response to the identification information assigned for identifying the different types of image data acquisition means (fig. 4, col. 6, lines 30-61).

An image data processing section for receiving the determination result from said model determination section, selecting the image data processing contents corresponding to the determination result out of said image data processing content storage section, and executing the image data processing contents (fig. 1, col. 3, lines 44-67; figs. 11A-D, col. 11, lines 42-55).

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A print processing section for performing section for performing print processing of the image data processed by said image data processing section (fig. 3, col. 5, lines 58-67).

Regarding claim [7], Motoyama discloses the image data print apparatus as claimed in claim 6, wherein the identification information assigned for identifying the different types of image data acquisition means is model names assigned to the image data acquisition means (Fig. 8, col. 8, lines 26-47; col. 9, lines 32-42).

Regarding claim [11], Motoyama discloses a record medium recording an image data processing program for making it possible to read image data acquired by different types of image data acquisition means, processing the read image data so as to provide an optimum output result, and printing the processed image data, said image data processing program (fig. 14, col. 14, lines 42-62) comprising the steps of:

Reading the image data provided by one image data acquisition means as image data to be processes (fig. 11A, col. 1, lines 33-40);

determining which image data acquisition means the image data acquisition means is from identification information assigned for identifying the different types of image data acquisition means (fig. 1, col. 3, lines 44-67).

receiving the determination result from said model determination section, selecting the image data processing contents corresponding to the determination

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result out of said image data processing content storage section, and executing the image data processing contents (fig. 1, col. 3, lines 44-67; figs. 11A-D, col. 11, lines 42-55).

Regarding claim [12], Motoyama discloses the image data processing program as claimed in claim 11, wherein the identification information assigned for identifying the different types of image data acquisition means is model names assigned to the image data acquisition means (Fig. 8, col. 8, lines 26-47; col. 9, lines 32-42).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 8, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Motoyama (US. 6330628) in view of Nakatsuka (US. 6115104).

Regarding claim [3], Motoyama discloses the image data processing method of claimed in claim 1.

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Motoyama **does not disclose** wherein the image data processing contents are at least one of image correction processing contents for making a correction to an image and image scaling processing contents for enlarging or reducing an image,

Motoyama **does not disclose** wherein the image correction processing contents include color correction processing, brightness correction processing, contrast correction processing, color saturation correction processing, noise removal processing, smoothing processing, and contour correction processing, at least one correction processing of which is performed, and

Motoyama **does not disclose** wherein the image scaling processing contents are to perform image scaling processing set based on a resolution of the image data acquisition means.

Nakatsuka **discloses** wherein the image data processing contents are at least one of image correction processing contents for making a correction to an image and image scaling processing contents for enlarging or reducing an image (fig. 4, col. 8, lines 44-67),

Nakatsuka **discloses** wherein the image correction processing contents include color correction processing, brightness correction processing, contrast correction processing, color saturation correction processing, noise removal processing, smoothing processing, and contour correction processing, at least one correction processing of which is performed (fig. 3, col. 9, lines 50-67; col. 10, lines 1-6), and

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Nakatsuka **discloses** wherein the image scaling processing contents are to perform image scaling processing set based on a resolution of the image data acquisition means (fig. 8, col. 10, lines 46-65).

It would have been obvious to one skilled in the art at the time of the invention to modify Motoyama wherein image data adjustment is a feature permitting the system to adjust the image to a finer quality. Every device identified and/ or used may have different resolutions and/ or color attributes therefore fine adjustments are necessary for an accurate image.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine Nakatsuka and Motoyama to achieve the limitations set forth in claim 3.

Regarding claim [8], Motoyama discloses the image data print apparatus as claimed in claim 6.

Motoyama **does not disclose** wherein the image data processing contents are at least one of image correction processing contents for making a correction to an image and image scaling processing contents for enlarging or reducing an image,

Motoyama **does not disclose** wherein the image correction processing contents include color correction processing, brightness correction processing, contrast correction processing, color saturation correction processing, noise

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removal processing, smoothing processing, and contour correction processing, at least one correction processing of which is performed, and

Motoyama **does not disclose** wherein the image scaling processing contents are to perform image scaling processing set based on a resolution of the image data acquisition means.

Nakatsuka **discloses** wherein the image data processing contents are at least one of image correction processing contents for making a correction to an image and image scaling processing contents for enlarging or reducing an image (fig. 4, col. 8, lines 44-67),

Nakatsuka **discloses** wherein the image correction processing contents include color correction processing, brightness correction processing, contrast correction processing, color saturation correction processing, noise removal processing, smoothing processing, and contour correction processing, at least one correction processing of which is performed (fig. 3, col. 9, lines 50-67; col. 10, lines 1-6), and

Nakatsuka **discloses** wherein the image scaling processing contents are to perform image scaling processing set based on a resolution of the image data acquisition means (fig. 8, col. 10, lines 46-65).

It would have been obvious to one skilled in the art at the time of the invention to modify Motoyama wherein image data adjustment is a feature permitting the system to adjust the image to a finer quality. Every device identified and/ or used may have different resolutions and/ or color attributes therefore fine adjustments are necessary for an accurate image.

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Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine Nakatsuka and Motoyama to achieve the limitations set forth in claim 8.

Regarding claim [13], Motoyama discloses the image data processing program as claimed in claim 11.

Motoyama **does not disclose** wherein the image data processing contents are at least one of image correction processing contents for making a correction to an image and image scaling processing contents for enlarging or reducing an image,

Motoyama **does not disclose** wherein the image correction processing contents include color correction processing, brightness correction processing, contrast correction processing, color saturation correction processing, noise removal processing, smoothing processing, and contour correction processing, at least one correction processing of which is performed, and

Motoyama **does not disclose** wherein the image scaling processing contents are to perform image scaling processing set based on a resolution of the image data acquisition means.

Nakatsuka **discloses** wherein the image data processing contents are at least one of image correction processing contents for making a correction to an image and image scaling processing contents for enlarging or reducing an image (fig. 4, col. 8, lines 44-67),

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Nakatsuka **discloses** wherein the image correction processing contents include color correction processing, brightness correction processing, contrast correction processing, color saturation correction processing, noise removal processing, smoothing processing, and contour correction processing, at least one correction processing of which is performed (fig. 3, col. 9, lines 50-67; col. 10, lines 1-6), and

Nakatsuka **discloses** wherein the image scaling processing contents are to perform image scaling processing set based on a resolution of the image data acquisition means (fig. 8, col. 10, lines 46-65).

It would have been obvious to one skilled in the art at the time of the invention to modify Motoyama wherein image data adjustment is a feature permitting the system to adjust the image to a finer quality. Every device identified and/ or used may have different resolutions and/ or color attributes therefore fine adjustments are necessary for an accurate image.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine Nakatsuka and Motoyama to achieve the limitations set forth in claim 13.

Claim Objections

1. Claims 4, 9 and 14 are objected to because of the following informalities: the term "existing" discloses in the limitation "wherein the identification information is information **existing** together with the image data recorded on the record medium"; it is unclear how the information is existing together, how is the information existing. Clarification is needed for this term. Appropriate correction is required.

2. Claims 5, 10 and 15 are objected to because of the following informalities: the term "existing" discloses in the limitation "wherein the identification information is information **existing** together with the image data transferred through the communication means"; it is unclear how the information is existing together, how is the information existing. Clarification is needed for this term. Appropriate correction is required.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cotrell et al. (US. 5694484), Reitan (US. 5600574), Higgins et al. (5835627), Buhr et al. (US. 6163389), Motoyama (US. 5412779), Motoyama (US. 5537554) and Monroe (US. 6130917) are cited to show related

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art with respect to identification of specific types of devices used in acquisition system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tia A Carter whose telephone number is 703 - 306-5433. The examiner can normally be reached on M-F (9:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles can be reached on 703-305-4712. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-6036 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-6056.

TAC
March 3, 2003

Tia A Carter
Examiner
Art Unit 2622

EDWARD COLES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600